

JAN 31 2006

ROBERT H. SHERWELL, CLERK
BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

JOHN BARRY STROTHER

VS

WARDEN, WADE CORRECTIONAL CENTER

CIVIL ACTION NO. 5:05CV1042
JUDGE HICKS
MAG. JUDGE HORNSBY

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

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The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

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~~The certificate of appealability is GRANTED for the below reasons:~~

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Shreveport, LA, this 31st day of January, 2006


S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE